



UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yoshiki SAKUMA

Serial No.: **09/819,762**

Group Art Unit: **2815**

Filed: **March 29, 2001**

Examiner: **BAUMEISTER, B.**

For: **HETEROBIPOLAR TRANSISTOR AND A METHOD OF FORMING
A SiGeC MIXED CRYSTAL LAYER**

7
Election
FJONES
4-30-02

**RESPONSE TO THE ELECTION REQUIREMENT
DATED APRIL 1, 2002**

Commissioner for Patents
Washington, D.C. 20231

Date: April 23, 2002

Sir:

In response to the Action dated April 1, 2002, Applicant hereby provisionally elects the subject matter of Species II, upon which claims 4-8 are readable, for prosecution in this application. This election is made without traverse, it being understood that the applicant's rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. 120 and 35 U.S.C. 121 are retained.

In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

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In the event any additional fees are required in connection with this response, please
charge our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



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